

Charter
Board of Visitors of the U.S. Air Force Academy

1. Committee's Official Designation: The Committee shall be known as the Board of Visitors of the U.S. Air Force Academy (hereinafter referred to as "the Board").
2. Authority: The Secretary of Defense, under the provisions of 10 United States Code (U.S.C.) § 9355, the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), and 41 CFR § 102-3.50(a) (required by statute), established the Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to the U.S. Air Force Academy (hereinafter referred to as "the Academy"), as set out in paragraph four below.
4. Description of Duties: The Board shall provide to the Secretary of Defense and the Deputy Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives independent advice and recommendations on the morale, discipline, and social climate, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider. The Board shall recommend appropriate action.

The Board shall prepare a semiannual report containing its views and recommendations pertaining to the Academy, based on its meeting since the last such report and any other considerations it determines relevant. Each such report shall be submitted concurrently to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense and Deputy Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives. Pursuant to DoD policy, the Secretary of the Air Force may act upon the Board's advice and recommendations.
6. Support: The DoD, through the Secretary of the Air Force, shall provide support, as deemed necessary, for the performance of the Board's functions, and shall ensure compliance with the requirements of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) (hereinafter referred to as "the Government in the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies/procedures.

The Secretary of the Air Force, through the Superintendent of the Academy, shall ensure that the Board has access to the Academy grounds and the cadets, faculty, staff, and other personnel of the Academy for the purposes of the duties of the Board. The Secretary of the Air Force and the Superintendent of the Academy shall also provide the Board candid and complete disclosure, consistent with applicable laws concerning disclosure of information, with respect to institutional problems.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$200,000.00. The estimated annual personnel costs to the DoD are 2.5 full-time equivalents.
8. Designated Federal Officer (DFO): The Board's DFO, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

In addition, the Board's DFO is required to be in attendance at all Board and Subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to DoD policies/procedures, shall attend the entire duration of the Board or Subcommittee meeting.

The DFO, or the Alternate DFO, shall call all of the Board's and Subcommittee's meetings; prepare and approve all meeting agendas; adjourn any meeting when the DFO, or Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies/procedures; and chair meetings when directed to do so by the Secretary of the Air Force.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's Chairperson. The estimated number of Board meetings is at least four per year, with at least two of those meetings taking place at the Academy.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 10 U.S.C. § 9355.
12. Membership and Designation: The Board, pursuant to 10 U.S.C. § 9355 (a) and (b)(2), shall be constituted annually and composed of 15 members. The Board membership shall include:
 - a. Six persons designated by the President, at least two of whom shall be graduates of the Academy;
 - b. The Chairperson of the Committee on Armed Services of the House of Representatives, or designee;
 - c. Four persons designated by the Speaker of the House of Representatives, three of whom shall be members of the House of Representatives and the fourth of whom may not be a member of the House of Representatives;
 - d. The Chairperson of the Committee on Armed Services of the Senate, or designee; and

- e. Three other members of the Senate designated by the Vice President or the President pro tempore of the Senate, two of whom are members of the Committee on Appropriations of the Senate.

Board members designated by the President shall serve for three years each, except that any member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate persons each year to succeed the members whose terms expire that year.

If a member of the Board dies, resigns, or is terminated, a successor shall be designated for the unexpired portion of the term by the official who designated the member.

The Board members shall select the Board Chairperson and Vice Chairperson from the total membership.

If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance for good cause by the Board Chairperson, such failure shall be grounds for termination from membership on the Board, pursuant to 10 U.S.C. § 9355(c)(2)(A) (hereinafter referred to as “absenteeism provision”).

Termination of membership on the Board pursuant to the absenteeism provision, in the case of a member of the Board who is not a member of Congress, may be made by the Board’s Chairperson and, in the case of a member of the Board who is a member of Congress, may be made only by the official who designated the member. When a member of the board is subject to termination from membership on the Board under the absenteeism provision, the Board’s Chairperson shall notify the official who designated the member. Upon receipt of such a notification with respect to a member of the Board who is a member of Congress, the official who designated the member shall take such action as that official considers appropriate.

Board members who are full-time or permanent part-time Federal Officers or employees shall be appointed as regular government employees or *ex officio as appropriate*. Board members designated by the President or the Congress, who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as special government employees under the authority of 5 U.S.C. § 3109.

With the exception of travel and per diem for official travel, Board members serve without compensation.

The Board, pursuant to 10 U.S.C § 9355 (g), may, upon approval by the Secretary of the Air Force, call in advisers for consultation, in accordance with 5 U.S.C § 3109. These advisers shall, with the exception of travel and per diem for official travel, serve without compensation.

13. Subcommittees: The Department, when necessary and consistent with the Board’s mission and DoD policies and procedures, may establish Subcommittees, task groups, or working groups to support the Board. Establishment of Subcommittees will be based upon written

determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Air Force as the Board's sponsor.

Such Subcommittees or workgroups shall not work independently of the chartered Board, and shall report all their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees, task forces, working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the chartered Board; nor can any Subcommittee or its members update or report, verbally or in writing, directly to the DoD or any Federal officers or employees.

All Subcommittee members shall be appointed by the Secretary of Defense according to governing DoD policies/procedures, even if the member in question is already a Board member. Such individuals shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees.

Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the Subcommittee of one-to-four years; however, no Subcommittee member shall serve more than two consecutive terms of service unless otherwise authorized by the Secretary of Defense. All Subcommittee appointments must be renewed on an annual basis. With the exception of travel and per diem, Subcommittee members shall serve without compensation.

Each Subcommittee member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

All Subcommittees, task forces, and working groups shall operate under the provisions of the FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Board and its Subcommittees shall be handled according to section 2, General Records Schedule 26 and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: November 26, 2012